

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

# NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009—Continued

AMENDMENT NO. 5280

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes, equally divided, prior to a vote on the Vitter amendment.

Mr. LEVIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEVIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. CANTWELL). Without objection, it is so ordered.

AMENDMENT NO. 5280

Mr. LEVIN. Madam President, what is the order now?

The PRESIDING OFFICER. The pending question is the Vitter amendment.

Mr. LEVIN. And is there a time agreement on debate?

The PRESIDING OFFICER. There was to be 2 minutes equally divided at 6 p.m.

Mr. LEVIN. Does the Senator from Louisiana wish to go first or second?

Mr. VITTER. I would like to go first, and I may reserve some time.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I rise in strong support of the amendment pending before us and would ask all my colleagues to look favorably upon this amendment.

The committee had decided to cut \$411 million from the Missile Defense Agency budget. That is a significant amount of money. This amendment would not restore all of that; it would restore \$271 million of that amount. I think that is very justified considering the significance of missile defense, particularly in a post-Cold War world, with threats such as North Korea and Iran and even the technological uncertainty of the Chinese military.

In addition, the committee itself noted that the Joint Chiefs staff report said that we need about twice as many THAAD and Standard Missile-3 interceptors as the number currently planned. This amendment would help get us to that point.

The PRESIDING OFFICER. The Senator has used 1 minute.

Mr. LEVIN. Madam President, I will take 30 seconds and yield 30 seconds to my friend from Florida.

On the four items that the Vitter amendment adds money to, the committee either already added more than the administration requested or fully funded. On THAAD, we added \$115 bil-

lion; on targets, we fully funded; and on the Aegis and the SM-3 missile, we added \$100 million. So on the items he adds money to, we either added money or fully funded. We did not cut those items.

Mr. NELSON of Florida. Madam President, his cuts would allow the Secretary of Defense to make cuts across the board to the budget in order to fund his add-back, and that could be the Joint Strike Fighter, the B-52, the F-22, the Patriot Missile, and the LPD amphibious ship. This is not good policy. Our committee came out, on \$9.3 billion, and cut only 4 percent on national missile defense.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays were previously ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 39, nays 57, as follows:

[Rollcall Vote No. 198 Leg.]

## YEAS—39

Alexander	Craig	Isakson
Allard	Crapo	Kyl
Barrasso	DeMint	Landrieu
Bayh	Dole	Lugar
Bond	Domenici	Martinez
Brownback	Ensign	McConnell
Bunning	Enzi	Roberts
Burr	Graham	Shelby
Chambliss	Grassley	Specter
Coburn	Hagel	Thune
Cochran	Hatch	Vitter
Coleman	Hutchison	Voinovich
Cornyn	Inhofe	Wicker

## NAYS—57

Akaka	Feinstein	Nelson (NE)
Baucus	Gregg	Pryor
Bennett	Harkin	Reed
Bingaman	Inouye	Reid
Boxer	Johnson	Rockefeller
Brown	Kerry	Salazar
Byrd	Klobuchar	Sanders
Cantwell	Kohl	Schumer
Cardin	Lautenberg	Sessions
Carper	Leahy	Smith
Casey	Levin	Snowe
Clinton	Lieberman	Stabenow
Collins	Lincoln	Stevens
Conrad	McCaskill	Sununu
Corker	Menendez	Tester
Dodd	Mikulski	Warner
Dorgan	Murkowski	Webb
Durbin	Murray	Whitehouse
Feingold	Nelson (FL)	Wyden

## NOT VOTING—4

Biden  
Kennedy

McCain  
Obama

The amendment (No. 5280) was rejected.

Mr. LEVIN. Madam President, I move to reconsider the vote.

Mr. BAUCUS. Madam President, I move to lay that on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 4979

The PRESIDING OFFICER. Under the previous order, there is now 2 minutes of debate equally divided on the Nelson amendment No. 4979. Who yields time?

The Senator from Florida is recognized.

Mr. NELSON of Florida. Senators, I can make this very quick. This is for the widows and orphans. This is removing the offset from the survivor's benefit that a military retiree pays, like an insurance premium, and gets a survivor's benefit. But, oh, by the way, under current law that survivor's benefit is offset—what they get out of the Veterans Affairs Department—in dependency and indemnity compensation.

We passed this overwhelmingly last year. We need a big vote so we can tell the conference committee not to gut it again.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Madam President, this is a very laudatory effort on behalf of our colleague. It is one I will personally support. I do, however, draw to the attention of all colleagues that it is a very expensive provision, but it is one that deserves the recognition that it has been given by our colleague and further consideration of the conference between the House and the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The yeas and nays have previously been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 2, as follows:

[Rollcall Vote No. 199 Leg.]

## YEAS—94

Akaka	Cochran	Hagel
Alexander	Coleman	Harkin
Allard	Collins	Hatch
Barrasso	Conrad	Hutchison
Baucus	Corker	Inhofe
Bayh	Cornyn	Inouye
Bennett	Craig	Isakson
Bingaman	Crapo	Johnson
Bond	DeMint	Kerry
Boxer	Dodd	Klobuchar
Brown	Dole	Kohl
Brownback	Domenici	Kyl
Burr	Dorgan	Landrieu
Byrd	Durbin	Lautenberg
Cantwell	Ensign	Leahy
Cardin	Enzi	Levin
Carper	Feingold	Lieberman
Casey	Feinstein	Lincoln
Chambliss	Graham	Lugar
Clinton	Grassley	Martinez
Coburn	Gregg	McCaskill

McConnell	Rockefeller	Sununu
Menendez	Salazar	Tester
Mikulski	Sanders	Thune
Murkowski	Schumer	Vitter
Murray	Sessions	Warner
Nelson (FL)	Shelby	Webb
Nelson (NE)	Smith	Whitehouse
Pryor	Snowe	Wicker
Reed	Specter	Wyden
Reid	Stabenow	
Roberts	Stevens	

NAYS—2

Bunning Voinovich

NOT VOTING—4

Biden  
KennedyMcCain  
Obama

The amendment (No. 4979) was agreed to.

Mr. WARNER. I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEVIN. Madam President, for the information of colleagues, what I am about to do is send a series of 14 amendments to the desk which I hope we will be able to adopt at this point by unanimous consent. The amendments include one on behalf of myself and Senator MCCAIN, which is a technical correction to the underlying bill; an amendment on behalf of Senators AKAKA and VOINOVICH requiring a report on the security clearance review process; an amendment on behalf of Senators BINGAMAN and DOMENICI requiring a report on the test and evaluation activities of the Department of Defense; an amendment on behalf of Senators COLLINS, LIEBERMAN, and others to ensure oversight and accountability in Federal contracting; an amendment on behalf of Senators COLLINS and LIEBERMAN to establish a governmentwide contingency contracting corps; an amendment on behalf of Senators LUGAR, BIDEN, and others to build operational readiness and civilian agencies; an amendment on behalf of myself, Senators MCCAIN and AKAKA, to establish the position of Director of Independent Cost Assessment; an amendment on behalf of Senators MCCASKILL and MCCAIN relating to a database for contracting officials; an amendment on behalf of Senators SMITH, BAYH, and NELSON of Florida relating to travel of family members of the Armed Forces with serious mental disorders; an amendment on behalf of Senators LIEBERMAN and COLLINS relating to ethics safeguards for employees; an amendment on behalf of Senators LIEBERMAN, COLLINS, and MCCASKILL regarding whistleblower rights; an amendment on behalf of myself and Senator WARNER codifying recurring authority on contributions to NATO; an amendment on behalf of Senator MCCONNELL on traumatic brain injuries; and on behalf of Senator MENENDEZ, an amendment regarding the Environmental Protection Agency. Those are the amendments I am hoping we can adopt at this time.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, at the moment, speaking for myself as one of the managers of the bill, I strongly support the package. We have worked on it together, as we have all the times we have managed these bills. I know of no objections that have been communicated to me, but I would like to ask the indulgence of the chairman for a few minutes such that I can check with my cloakroom staff.

Mr. LEVIN. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASEY). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEVIN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, the Senator from Iowa wishes to speak as in morning business for up to 10 minutes. I have no objection, providing he would agree that at any time during that 10 minutes we could interrupt him, if we get unanimous consent agreement on the series of amendments I outlined. I hate to interrupt his remarks, but the timing is critical.

Mr. HARKIN. I have no problem.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. I thank my colleague.

I have been informed by our staff that there are objections to the procedure to have this package of amendments cleared at this time.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, this week is National Suicide Prevention Week. In honor of the families who have lost a military family member to suicide, I wish to speak now about an amendment I have to this bill to address one of the most critical issues facing our troops right now, the issue of suicide. The Joshua Omvig Veterans Suicide Prevention bill was signed into law this past November. But that has to do with veterans. However, the Department of Defense has reported an increase in suicides among Active-Duty soldiers. With extended combat tours to 15 months from 12 months, with many servicemembers on their third or even fourth rotation to Afghanistan or Iraq, the psychological strains are enormous. The Department of Defense Task Force on Mental Health has stated that both the VA and the Department of Defense are not prepared to deal with this increase in mental health needs of Active-Duty service men and women.

Nearly each year of the 5-year-old war in Iraq and the 7 years of war in Afghanistan, the suicide rate has increased. Last year suicides among Active-Duty soldiers reached their highest level since the Army began keeping records 28 years ago. Suicide was the leading cause of noncombat deaths in Iraq in 2007. This trend has begun to repeat itself in 2008. So far there have

been 62 confirmed suicides as well as 31 deaths under investigation that are suspected to be suicides, which means this year's gruesome numbers could surpass the record of 115 suicides set last year. The number of attempted suicides or self-inflicted injuries in the Army, approximately 2,100 last year, has risen sixfold since the Iraq war began. These startling statistics should serve as a wake-up call that suicide among soldiers and veterans is more than a small problem. It is rapidly becoming a very big problem. To address this critical concern, I worked with a number of my colleagues to introduce the Armed Forces Suicide Prevention Act, S. 2585, with 20 bipartisan cosponsors. The amendment I am offering to this bill merely adds the preventative measures from this carefully crafted bill, S. 2585, to the excellent underlying language that is in the Defense authorization bill before us.

The Defense authorization bill before us does increase mental health personnel and post-suicide investigations in the military. That is in the underlying bill. The amendment I am offering requires the Department of Defense to implement comprehensive suicide prevention programs within all branches of the military, including the National Guard and Reserves. Among other things, the amendment directs the Pentagon to conduct a servicewide campaign to reduce the stigma associated with mental health issues and to encourage servicemembers who are experiencing difficulties to seek help. It also engages military leadership by incorporating suicide prevention training for all servicemembers.

So this amendment takes the preventative measures from the bill we introduced with 20 bipartisan cosponsors and adds it to the underlying Defense authorization bill.

The language I am talking about was coordinated carefully with each branch of the Armed Forces, and their recommended revisions were incorporated. The bill complements other recent defense legislation such as the Wounded Warriors Act, addressing the well-being and welfare of our servicemembers and their families. This Armed Forces Suicide Prevention Act has the endorsement of the Iraq and Afghanistan Veterans of America, the Suicide Prevention Action Network, the National Military Families Association, and the National Alliance on Mental Illness.

We know these kinds of programs can make a big difference. In the early 1990s, one in every four deaths among Active-Duty Air Force personnel was from suicide. The Air Force implemented the kind of comprehensive suicide prevention program required by the bill we have introduced and by this amendment, and by 2002 the suicide rate had been reduced by over a third. Violent crime and family violence also were reduced after the preventative program was implemented.

We cannot just sit idly by and watch as these young brave Americans, who

are making great sacrifices, are left alone to fend for themselves, as they suffer the pain and anguish of post-traumatic stress disorder, the despair of losing friends to roadside bombs, or the depression and helplessness felt after multiple deployments that are stressing their families to the breaking point. This is not just about the armed servicemembers who commit suicide; it is about the deep and painful despair that drives them to do it. I know the Army says they have effective programs in place. But if that is true, where are the outcomes? Why do we have an ever-increasing suicide rate in the military?

The GAO just reported last week that the DOD—Department of Defense—does not even know if the post-deployment health reassessment surveys are being completed. Now, for those who may not have heard about this tool, the PDHRA, as it is called, surveys health and mental health concerns within 90 and 120 days of deployment. Well, how can DOD say they are good stewards of mental health when they cannot show us they are even doing these screenings?

The DOD's position on this amendment I am offering is that it "would establish a legislative mandate for programs already ongoing or within the Secretary's authority to establish. However, the administration supports the goals of this legislation and we look forward to working with Congress to address these concerns."

Well, they may have the current authority, but the numbers do not bear out they are actually doing it. Frankly, my staff has met—and I have also—with veterans in Iowa who say that while programs like this are in place and working well in some units, it is not a universal experience for Armed Services members. Too many brave young men and women are falling through the cracks, and the DOD is simply not doing a thorough job here. One ignored soldier who has had mental health problems—who is stressed out, who has seen his buddies' arms and legs disappear from bombings or had their lives taken away, who is on multiple deployments, and he has kids back home—one soldier with those kinds of stresses who is ignored is one soldier too many.

That is why Congress has to act to make this a priority. Yes, this is going to be a legislative mandate, and I intend it to be that. When GAO tells us that DOD cannot even tell us what they are doing, then I think it is time for a legislative mandate.

The military does an extraordinarily good job of treating our warriors' physical wounds and preventing death and disability. It is time to place an equal priority to treating their psychological wounds, their emotional wounds, and preventing suicides. That is exactly what this amendment will accomplish.

As I have said, there is already excellent language in the underlying Defense authorization bill to expand men-

tal health services for Active-Duty servicemembers. This amendment would add suicide prevention training for armed servicemembers and their families. It would add additional postdeployment assistance and a stigma reduction outreach campaign to aid in those efforts—a campaign to reduce the stigma of a soldier who is having mental health problems from seeking help.

We all know—those of us who have been in the military—what it is like. You do not want to admit you are having psychological problems, that this, somehow, is something you are not supposed to have happen to you. So you have to reduce the stigma of this so these young men and women who are having these problems will seek help and by getting that help will heal their psychological wounds.

It is a simple, commonsense approach to a pervasive, disturbing trend, as I said, a very growing problem in the military. So I hope all my colleagues can join with us to support the dedicated men and women serving our country and support this needed amendment.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I see the chairman of the committee. I think the work on the bill tonight is concluded, and I recommend we go off the bill and open the floor to morning business, if that is agreeable.

Mr. LEVIN. Mr. President, would Senator SANDERS be willing, as a number of other colleagues are, that his remarks, although they relate to the bill, be in morning business?

Mr. SANDERS. Absolutely.

#### MORNING BUSINESS

Mr. LEVIN. In that case, Mr. President, I ask unanimous consent that we now move off the bill, move to morning business, and that Senators GRAHAM and LIEBERMAN be recognized and then Senator SANDERS be recognized.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, if I might say to my colleague, Senator GRAHAM has an airplane he is trying to catch.

Mr. LEVIN. Mr. President, I wonder if Senator GRAHAM could speak for just a few minutes, and then we could turn to Senator SANDERS and then to Senator LIEBERMAN.

Mr. President, I ask Senator GRAHAM, how many minutes does he wish?

Mr. GRAHAM. Three minutes.

Mr. LEVIN. Mr. President, I ask unanimous consent that we now move off the bill and go to morning business and that Senator GRAHAM be recognized for 3 minutes and then Senator SANDERS be recognized for up to 20 minutes. I want Senator LIEBERMAN to hear that request.

Mr. SANDERS. I say to the Senator, I listened to your speech.

Mr. LEVIN. That Senator SANDERS be recognized for up to 20 minutes and Senator LIEBERMAN be recognized for up to 20 minutes. That is my unanimous consent request.

The PRESIDING OFFICER. Is there objection?

Mr. WARNER. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from South Carolina is recognized.

Mr. GRAHAM. I thank the Chair.

#### IRAQ

Mr. GRAHAM. Mr. President, I just want to let my colleagues know where I am coming from, along with Senator LIEBERMAN, that amendment No. 5368, I believe it is, is an amendment offered by Senator LIEBERMAN and myself that speaks of the surge, the success of the surge, how vital it was that we turn Iraq around, and the fact that the surge has worked.

General Petraeus said today in the Washington Post, I believe, that Iraq is still the central battlefield in the war on terror. Senator OBAMA has disagreed with that on numerous occasions, saying it is Afghanistan and Pakistan.

The truth is, the battle regarding the war on terror is an idea, not a place, and the fight now is in Iraq. Bin Laden said: Go to the land of the two rivers. Make sure we win that battle. Bin Laden has always seen Iraq as an outcome-determinative event. So does General Petraeus. So does Senator MCCAIN, Senator GRAHAM, and Senator LIEBERMAN.

So the good news is that battle has taken place in Iraq between al-Qaida, the Iraqi people, and the coalition forces, and we have greatly diminished al-Qaida. They suffered a mighty blow at the hands of fellow Muslims who turned on al-Qaida after tasting their agenda. I cannot think of a more appropriate topic for the Senate to take up than to comment on what I think is the most historic, successful counterinsurgency operation in military history, to memorialize that it has worked, to acknowledge those who sacrificed to make it work, those who led our men and women in battle. This, to me, is very appropriate and important. It was a year ago today that General Petraeus testified about his plan in Iraq, and a year later we see stunning success militarily, economically, and politically. So I believe with all the passion I can muster about this topic that the Senate needs to take this up, discuss it, debate it, and vote on it.

I thank Senator LIEBERMAN for his steadfast leadership over the last year. I say to the Senator, you, my friend, will go down in history as being one of the Senators who stood up at a time when the country needed people to speak out. We turned this war around because of people like yourself and Senator MCCAIN but mainly because of